

1407, 2103, and 3106
of the Senate
amendment.

BILLY TAUZIN,

As additional conferees from the Committee on Ways and Means, for consideration of title XXI of the House bill and title VI of the Senate amendment, and modifications committed to conference:

JIM NUSSLE,

KENNY C. HULSHOF,

As additional conferees from the Committee on Ways and Means, for consideration of title XXI of the House bill and title VI of the Senate amendment, and modifications committed to conference:

CHARLES B. RANGEL,

Managers on the Part of the House.

From the Committee on Environment and Public Works:

JOHN H. CHAFEE,

JOHN WARNER,

BOB SMITH,

DIRK KEMPTHORNE,

JIM INHOFE,

CRAIG THOMAS,

CHRISTOPHER S. BOND,

TIM HUTCHINSON,

WAYNE ALLARD,

MAX BAUCUS,

DANIEL PATRICK MOYNIHAN,

HARRY REID,

BOB GRAHAM,

JOSEPH LIEBERMAN,

BARBARA BOXER,

From the Committee on Finance:

WILLIAM V. ROTH, Jr.,

CHUCK GRASSLEY,

ORRIN HATCH,

JOHN BREAUX,

KENT CONRAD,

From the Committee on Banking, Housing, and Urban Affairs:

ALFONSE D'AMATO,

PHIL GRAMM,

PAUL SARBANES,

CHRIS DODD,

From the Committee on Commerce, Science, and Transportation:

ERNEST HOLLINGS,

From the Committee on the Budget:

PETE DOMENICI,

DON NICKLES,

PATTY MURRAY,

Managers on the Part of the Senate.

□ 1445

APPOINTMENT OF CONFEREES ON H.R. 2676, INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT OF 1997

Mrs. JOHNSON of Connecticut. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2676) to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY
MR. COYNE

Mr. COYNE. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. COYNE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2676, the Internal Revenue Service Restructuring and Reform Act of 1997, be instructed to insist upon the provisions contained in the House bill and thereby not further delay needed restructuring of the Internal Revenue Service.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. COYNE) will be recognized for 30 minutes, and the gentlewoman from Connecticut (Mrs. JOHNSON) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. COYNE).

Mr. COYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the motion before us would instruct the House conferees to insist on the provisions of the House bill on restructuring the Internal Revenue Service and thereby expedite IRS reform. Not to do so would only further delay much-needed IRS reform.

The IRS is faced with extraordinary challenges in dealing with its computer modernization effort and year 2000 conversion. Further delay in enacting this legislation may make it difficult or impossible for the IRS to meet those challenges.

The House bill is the result of extensive review and hearings by the Committee on Ways and Means. It was crafted on a bipartisan basis with the help of experts from throughout the country. It also reflects the recommendations of the National Commission on the Restructuring of the IRS.

As ranking member of the Subcommittee on Oversight, I should note that the bill is good tax policy as well. The House bill is fully funded and will make significant improvements in IRS management and electronic tax return filing.

The House bill also significantly strengthens taxpayer rights. The IRS restructuring, as outlined in the House bill, deserves congressional approval without delay. I urge adoption of the motion to instruct.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. COYNE) for the spirit in which he offers his motion to instruct the conferees, to which I do not object.

As the gentleman knows, it is reasonable to expect the conferees to go into conference with the other body and to fight for the House position. Indeed, I agree with him that the House bill is a thoughtful and effective piece of legislation. I am very proud of the House bill, and I know our conferees will work hard on its behalf.

But, as the gentleman knows, the Senate is likely to consider, also, some of its ideas of importance; and there

are, indeed, a few things in the Senate bill that I think we all will find in the best interest of the taxpayers. But I certainly appreciate the spirit in which the motion is offered, and I support it.

I also would like to point out that the bill was introduced on October 21, 1997, and reported by the Committee on Ways and Means only 10 days later on October 31st. It passed the House the following week on November 5th. So this House has dealt with thoroughness and appropriate speed with the need to reform the Internal Revenue Service.

I am very pleased that there is no longer any disagreement about the need for this kind of systemic, comprehensive reform. It is long overdue. We need to finish this work as quickly as we can, because, through it, we give the American people relief from irresponsible enforcement policies and harsh penalty laws.

We need to launch the new forceful partnership between government and the private sector that this bill embodies because that new partnership alone can create an effective, customer-service-oriented IRS capable of serving this Nation and its people in the future.

Mr. Speaker, I reserve the balance of my time.

Mr. COYNE. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from Pennsylvania (Mr. COYNE) for yielding me this time and thank him for the work that he has done on the IRS Restructuring Act.

Mr. Speaker, I rise to support the motion to instruct the conferees. It has now been more than 6 months since this body passed the IRS Restructuring Act by a large bipartisan vote of 426 to 4. It is the first comprehensive provision in the IRS in more than a half a century.

I was proud to work with my colleague, the gentleman from Ohio (Mr. PORTMAN), as well as the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) and the gentleman from Pennsylvania (Mr. COYNE) on this very important legislation.

The version passed by the other body differs slightly from the version that was passed by this House. I find it somewhat amazing that it took the other body 6 months in order to consider this and bring it back with the type of changes that they made.

But the important thing for us to do in conference is to move quickly. We need to pass comprehensive reform before we get to the next tax filing season and we lose the advantage of this legislation.

I want to compliment Secretary Rubin and Commissioner Rossotti for the work that they have done reforming the IRS. Mr. Rubin is the first Secretary of the Treasury who spent his

personal time looking at the IRS and helping us in restructuring it.

I also congratulate our new Commissioner, Mr. Rossotti, for his cooperation with Congress in implementing many changes to the system. But the legislation before us sets up an important oversight board to oversee the functions of the IRS. We need to have those individuals appointed and operating as soon as possible. That is why it is important that our conferees act quickly.

The House version of the bill will protect the public, will start the process of reforming our Internal Revenue Code by first reforming the Internal Revenue Service. It makes it a much more taxpayer friendly organization.

I see my colleague, the gentleman from Ohio (Mr. PORTMAN), is now on the floor, who cochaired the national commission on which this is a product of. We really do owe that commission and its leadership our thanks for bringing forward a product that we hope now will become reality.

Mr. Speaker, I sincerely hope that we will be able to get this legislation signed quickly so that the benefits of this law can be enjoyed by all of our citizens, and then we, in this body, can start debating the issues of substantive tax reform.

All of us want to get involved in that debate, but first we must reform the tax collecting agency itself. This legislation will do it. We should move it as expeditiously as possible.

Mr. COYNE. Mr. Speaker, I reserve the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. PORTMAN), who was the cochairman of the commission that spent 1 long year studying in great detail the problems within the IRS and laid the blueprint for the reform that then we considered in our subcommittee and full committee and now is about to go to conference.

Mr. PORTMAN. Mr. Speaker, it was a long year and actually more than a year. In the end, the commission spent about a year and a half studying the various problems at the IRS; in some senses, turning the table and sort of auditing the IRS, and came back to Congress with a list of recommendations which were then, with the help of the gentleman from Maryland (Mr. CARDIN), implemented in the form of legislation.

That legislation was introduced in October, I believe. The House passed the legislation in November. The Senate, in turn, passed its legislation which is building on the House bill a few weeks ago.

I, as you know, believed that we could have done all of this last year. So, certainly, I am not for delay, and I want to commend the authors of the motion to instruct with regard to their focus on the interests of moving this forward quickly and not having further delay.

However, I will say, in all fairness, I think the Senate did improve the legislation in a few respects, and I hope that, while I will support this motion, that it is in the context of giving the conferees some flexibility to be able to accept certain Senate provisions that are an improvement.

I would mention, as an example, the Inspector General provisions. I think those are an improvement. It is something the commission, which did spend a year and a half studying the IRS but did not, frankly, get into that issue at any depth and did not make a recommendation on, and the Senate then picked up and I think improved.

So the Inspector General Service at the Treasury Department will be able to play a more effective and forceful role at the IRS, which is desperately needed.

I will also mention that the Senate added some taxpayer rights provisions which I think are quite helpful, particularly the expansion of innocent spouse relief that the gentlewoman from Connecticut (Mrs. JOHNSON) has worked hard over here in the House on as well.

I do think there are some things in the Senate bill which are going to make the IRS work even better. But it does build on the structure of the House bill; and certainly the House, having passed its legislation with such an overwhelming margin, will want to support the general direction that the House legislation took, which I think the Senate bill does.

It really is the House bill, and it is something this House I think can be very proud of because it was done on a bipartisan bases and it was done with the interests of the American taxpayer in mind. In the end, I am convinced it will lead to a new IRS.

Let me just mention three aspects of the legislation. I think they probably have already been mentioned earlier. I apologize I was not here for all of the debate.

One is in the area of taxpayer rights. There are 28 new taxpayer rights in the House bill. The Senate, as I say, adds a few other taxpayer rights that are very important, taxpayer rights in being able to suspend interest and penalties if there has not been adequate notice given to the taxpayer.

But when you add up all these taxpayer rights, what they will result in is, indeed, a new way of thinking at the IRS.

Shifting the burden of proof at the tax court level is a great example of that. Now the IRS, when they are in a dispute with a taxpayer, will be thinking about litigation strategy, whether in fact they can, as the IRS, bear that new burden of proof we are putting on them just as in the case of criminal law in this country. I think it will change the way they deal with taxpayers. It will help taxpayers who will end up with the right result for many taxpayers who, right now, are forced to settle with the IRS because the taxpayer carries that burden of proof.

I would say that that set of taxpayer rights provisions, when taken together as a whole, will definitely make a difference in terms of the attitudes and really the culture of the IRS.

The second one I will mention, I know my friend from Maryland I think was talking about it a moment ago, and this is the oversight board. This oversight board, perhaps, has been described inaccurately by both sides at times, but the thought is very simple.

You need to have at the IRS a group that has the experience in the problems that the IRS currently faces, which is information technology, taxpayer service, running a large service organization. You need to have continuity. This is why we have these 5-year staggered terms on this board, so that they will actually be able not only to talk about important reforms but implement them over time, because it will take time.

Finally, accountability. Without this kind of a board that brings in this private sector expertise I talked about and that has that kind of continuity, in other words, the follow-through to make sure these changes get made so that we do indeed create a new IRS, you are not going to have accountability. So this is a very important aspect of the change.

The final one I will mention which has not gotten much play but is very important in this legislation is changing the personnel flexibilities at the IRS to make it easier, frankly, to fire bad apples at the IRS and easier to promote people who, indeed, are doing a competent job or professional job and respecting taxpayer rights.

Taxpayer service will be a new measurement at the IRS. Rather than measuring whether taxpayer service representatives at the IRS and whether people in the compliance side are collecting more money from taxpayers, we will be measuring what kind of service employees at the IRS provide to taxpayers.

That, again, is a change in direction at the IRS. It will lead, along with these other changes, and there are 50 some odd changes to the IRS in this legislation, to a new IRS and indeed a new culture at the IRS and, in the end, will benefit our taxpayers greatly.

I would also like to, again, make the point that we have made throughout this process, that we need to do more here on Capitol Hill, both in terms of simplifying the tax code, and there is for prospective legislation a provision in this legislation which does that. It puts forth a complexity analysis. We think the House version is stronger on that. It has teeth in it. It has a point of order. It will enable us actually to enforce it.

Finally, we feel very strongly we need to consolidate the oversight on Capitol Hill. Part of the problem, of course, is that the Treasury Department is the IRS, but part of the problem resides right here in Congress. The Senate chose to delete that provision

in the legislation. I think the House conferees, I hope this is a unanimous view, will fight hard to get the House position accepted, which would be, in fact, to consolidate oversight so that we are speaking more with one voice from Capitol Hill to the IRS and be able to improve oversight in communication between lawmakers here on Capitol Hill who are elected to represent taxpayers and the Internal Revenue Service.

Mr. Speaker, I would just say in conclusion that I will be voting for this motion to instruct with the understanding that it is not going to tie our hands in terms of accepting some provisions in the Senate that perhaps were not looked at as carefully as they might have been when the House completed its legislative task. I want to commend the authors of it and hope that we can, indeed, move forward as rapidly as possible to finally give the taxpayers what is long overdue, which is, indeed, a new IRS.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for those who are watching the proceedings of this House, I hope they are not missing the bipartisan enthusiasm for real, comprehensive, significant and serious reform of one of the most important agencies of the United States Government, the Internal Revenue Service.

This is the product of 2 years of very hard work. It is a thoughtful product. It is a powerful product. Indeed, it is going to make an enormous difference to the opportunity employees of the IRS have as well as to the taxpayers that they serve.

So I am proud to support the motion and join my colleagues on both sides of the aisle in urging prompt action by the conference so this bill can be on the President's desk in the very near future.

Mr. Speaker, I yield back the balance of my time.

□ 1500

Mr. COYNE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Pennsylvania (Mr. COYNE).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COYNE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 388, nays 1, not voting 44, as follows:

[Roll No. 189]

YEAS—388

Abercrombie	Dreier	Knollenberg
Ackerman	Duncan	Kolbe
Aderholt	Dunn	Kucinich
Allen	Edwards	LaFalce
Andrews	Ehlers	LaHood
Armey	Ehrlich	Lampson
Bachus	Emerson	Lantos
Baessler	Engel	Largent
Baker	English	Latham
Baldacci	Ensign	LaTourette
Ballenger	Eshoo	Lazio
Barcia	Etheridge	Leach
Barr	Evans	Lee
Barrett (NE)	Everett	Levin
Barrett (WI)	Ewing	Lewis (CA)
Bartlett	Farr	Lewis (GA)
Barton	Fattah	Lewis (KY)
Bass	Fazio	Linder
Becerra	Filner	Lipinski
Bentsen	Forbes	Livingston
Bereuter	Ford	LoBiondo
Berman	Fossella	Lowey
Berry	Fowler	Lucas
Bilbray	Fox	Luther
Billrakis	Frank (MA)	Maloney (CT)
Bishop	Franks (NJ)	Maloney (NY)
Blagojevich	Frelinghuysen	Manton
Bliley	Frost	Manzullo
Blumenauer	Gallegly	Markey
Boehlert	Ganske	Martinez
Boehner	Gejdenson	Mascara
Bonilla	Gekas	Matsui
Bonior	Gibbons	McCarthy (MO)
Bono	Gilchrest	McCarthy (NY)
Borski	Gillmor	McCollum
Boswell	Gilman	McDermott
Boucher	Goode	McGovern
Boyd	Goodlatte	McHale
Brady (PA)	Goodling	McHugh
Brady (TX)	Gordon	McInnis
Brown (CA)	Goss	McIntosh
Brown (FL)	Graham	McIntyre
Brown (OH)	Granger	McKeon
Bryant	Greenwood	McKinney
Bunning	Gutierrez	McNulty
Buyer	Gutknecht	Meehan
Callahan	Hall (OH)	Meek (FL)
Calvert	Hall (TX)	Menendez
Camp	Hamilton	Metcalfe
Campbell	Hansen	Mica
Cannon	Hastert	Millender-
Capps	Hastings (FL)	McDonald
Cardin	Hastings (WA)	Miller (FL)
Carson	Hayworth	Minge
Castle	Hefner	Mink
Chabot	Herger	Moakley
Chambliss	Hill	Moran (KS)
Chenoweth	Hilleary	Moran (VA)
Christensen	Hilliard	Murtha
Clay	Hinchey	Myrick
Clayton	Hinojosa	Nadler
Clement	Hobson	Neal
Clyburn	Holden	Nethercutt
Coble	Hooley	Neumann
Coburn	Horn	Ney
Collins	Hostettler	Northup
Combest	Houghton	Norwood
Condit	Hoyer	Nussle
Cook	Hulshof	Oberstar
Cooksey	Hunter	Obey
Costello	Inglis	Olver
Cox	Istook	Ortiz
Coyne	Jackson (IL)	Owens
Cramer	Jackson-Lee	Oxley
Crane	(TX)	Packard
Crapo	Jefferson	Pallone
Cubin	Jenkins	Pappas
Cummings	John	Pascarell
Cunningham	Johnson (CT)	Pastor
Danner	Johnson (WI)	Paul
Davis (FL)	Johnson, E. B.	Paxon
Davis (IL)	Jones	Payne
Davis (VA)	Kanjorski	Pease
Deal	Kaptur	Pelosi
DeGette	Kasich	Peterson (MN)
Delahunt	Kelly	Peterson (PA)
DeLauro	Kennedy (MA)	Petri
DeLay	Kennedy (RI)	Pickering
Diaz-Balart	Kennelly	Pickett
Dickey	Kildee	Pitts
Dingell	Kilpatrick	Pombo
Dixon	Kim	Pomeroy
Doggett	Kind (WI)	Porter
Dooley	Klecza	Portman
Doolittle	Klink	Poshard
Doyle	Klug	Price (NC)

Pryce (OH)	Sessions	Taylor (MS)
Radanovich	Shadegg	Thomas
Rahall	Shaw	Thompson
Ramstad	Shays	Thornberry
Redmond	Sherman	Thune
Regula	Shimkus	Thurman
Riley	Shuster	Tiahrt
Rivers	Sisisky	Tierney
Rodriguez	Skeen	Trafficant
Roemer	Skelton	Turner
Rogan	Slaughter	Upton
Rogers	Smith (MI)	Velazquez
Rohrabacher	Smith (NJ)	Vento
Ros-Lehtinen	Smith (TX)	Visclosky
Rothman	Smith, Adam	Walsh
Roukema	Smith, Linda	Waters
Roybal-Allard	Snowbarger	Watkins
Royce	Snyder	Watt (NC)
Rush	Solomon	Watts (OK)
Ryun	Souder	Waxman
Sabo	Spence	Weldon (FL)
Salmon	Spratt	Weldon (PA)
Sanchez	Stabenow	Weller
Sanders	Stark	Wexler
Sandlin	Stearns	Weygand
Sawyer	Stokes	White
Saxton	Strickland	Whitfield
Scarborough	Stump	Wise
Schaefer, Dan	Stupak	Wolf
Schaffer, Bob	Sununu	Woolsey
Schumer	Talent	Wynn
Scott	Tanner	Yates
Sensenbrenner	Tauscher	Young (AK)
Serrano	Tauzin	Young (FL)

NAYS—1

Canady
NOT VOTING—44

Archer	Harman	Parker
Bateman	Hefley	Quinn
Blunt	Hoekstra	Rangel
Burr	Hutchinson	Reyes
Burton	Hyde	Riggs
Conyers	Johnson, Sam	Sanford
DeFazio	King (NY)	Skaggs
Deutsch	Kingston	Smith (OR)
Dicks	Lofgren	Stenholm
Fawell	McCrery	Taylor (NC)
Foley	McDade	Torres
Furse	Meeks (NY)	Towns
Gephardt	Miller (CA)	Wamp
Gonzalez	Mollohan	Wicker
Green	Morella	

□ 1521

Mr. ENGLISH of Pennsylvania changed his vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the Chair appoints the following conferees:

Mr. ARCHER, Mrs. JOHNSON of Connecticut, and Messrs. PORTMAN, RANGEL, and COYNE.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2709. An act to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, and to implement the obligations of the United States under the Chemical Weapons Convention.

The message also announced that pursuant to Public Law 103-227, the Chair, on behalf of the President pro